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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,198	06/22/2001	Matthew A. Guido	N0093US	7255

37583 7590 05/03/2005

NAVIGATION TECHNOLOGIES
222 MERCHANDISE MART
SUITE 900, PATENT DEPT.
CHICAGO, IL 60654

EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/887,198	Applicant(s) GUIDO ET AL.	
	Examiner Kuen S Lu	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/6/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on January 4, 2005.
2. As for the Amendments made to the independent claims 18 and 20, the following new issues were raised when **the limitation**
“providing the user with a advertising message associated with said advertising zone” of **claim 18 was amended to**
“providing the user with a advertising message associated with said advertising zone,
wherein the advertising message is provided via a user interface of the mobile computing platform that provides navigation-related services”; and **the limitation**
“determining in which of said advertising areas the mobile is located” of **claim 20 was amended to**
“using a geographic database to determine on which road segment said mobile computing platform is located based on said current position and to identify in which of said advertising areas the mobile computing platform is located by identifying said advertising area associated with said road segment on which said mobile computing platform is located”.
3. Concerning the new issues, some additional sections from the already cited references are introduced to provide the teaching of the amended limitations for rejecting the corresponding claims in the Office Action for Final Rejection (hereafter “the Action”) as shown next.
4. As for the Applicant's Remarks on claim rejections, filed on January 4, 2005, has

been fully considered by the Examiner, please see discussion in the section **Response to Arguments**, following the Action. As to the rest of claims rejection, the Examiner maintained the same grounds as set forth in the Office Action for non-Final Rejection, dated September 21, 2004.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 25-28 are rejected under 35 U.S.C. 102(e) as anticipated by Polyakov (U.S. Patent 6,414,402).

As per claim 25, Polyakov teaches the following:

“determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region” (See col. 1, lines 21-29, col. 2, lines 29-51 and col. 4, line 60 – col. 5, line 3 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant’s determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region);
“determining in which of a plurality of zones into which the geographic region is divided

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the user is located" (See col. 1, lines 21-29, col. 2, lines 29-51 and col. 4, line 60 – col. 5, line 3 wherein Polyakov's advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant's determining in which of a plurality of zones into which the geographic region is divided the user is located); and

"providing a user of the mobile computing platform with a warning message associated with said zone" (See col. 5, lines 24-36 and col. 3, line 57 – col. 4, line 67 wherein Polyakov's information is displayed to prevent accident is equivalent to Applicant's providing a user of the mobile computing platform with a warning message associated with said zone).

As per claim 26, Polyakov teaches "warning message relates to an adverse weather condition" (See col. 3, lines 37-56 wherein Polyakov's radio program currently broadcasted and news are displayed suggesting adverse weather condition warning is equivalent to Applicant's warning message relates to an adverse weather condition).

As per claim 27, Polyakov teaches "warning message relates to traffic conditions in the zone" (See col. 3, lines 37-56 and col. 5, lines 15-36 wherein Polyakov's radio program currently broadcasted and news are displayed, and further, the advertising displaying avoids traffic accident suggesting adverse traffic conditions warning is equivalent to Applicant's warning message relates to traffic conditions in the zone).

As per claim 28, Polyakov teaches the following:

“determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region” (See col. 1, lines 21-29, col. 2, lines 29-51, col. 4, line 60 – col. 5, line 3 and col. 3, line 57 – col. 4, line 67 wherein Polyakov's advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant's determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region); “dynamically forming new advertising zone associated with the position of the mobile computing platform” (See col. 1, lines 21-29 and 39-51, col. 2, lines 29-51 and col. 4, line 60 – col. 5, line 3 wherein Polyakov's advertising be advertised in geographical zone and vehicle travels from one zone to the next where advertising information is dynamically changed and mobile location is determined is equivalent to Applicant's dynamically forming new advertising zone associated with the position of the mobile computing platform); and “providing the user with a advertising message associated with said advertising zone” (See col. 5, lines 24-36 wherein Polyakov's information is displayed to prevent accident is equivalent to Applicant's providing the user with a advertising message associated with said advertising zone).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention

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was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 7-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Taschereau (U.S. Publication 2004/0076279) and further in view of Polyakov (U.S.

Patent 6,414,402).

As per claim 7, Taschereau teaches "defining a hierarchy of" geographical regions "located within a geographic region, wherein said hierarchy of" geographical regions "include at least first layer and a second layer, wherein said first layer and said second layer overlap" (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by and overlapped with geocnt, and they are indexed by ISO code values is equivalent to Applicant's geographical regions that encompass and overlap other geographical regions); and "in a geographical database that contains data that represent roads in the geographic region, associating with each data entity that represents a road segment located in a geographic region" (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geortseg, road segment, and block of street are the road segment and, group of road segments, geocnt and geodis are the various geographic regions is equivalent to Applicant's road segment data that represents road segments located in a geographic region) and the geographic region "associating with each data entity that represents a road segment located in the geographic region data that indicate in which" "the road segments

represented by the data entity is located” (See Pages 2-4, [0036]-[0054] Wherein Taschereau’s geortseg, road segment, and block of street are the road segment and, group of road segments, geocnt and geodis are the various geographic regions, and further, a standard database technologies are utilized to manage geortseg, geocnt and geodis where the geographic region’s entities are located and stored in the database is equivalent to Applicant’s associating with each data entity that represents a road segment located in the geographic region data that indicate in which the road segments represented by the data entity is located).

Taschereau does not specifically teaches “advertising areas” include at least first layer and a second layer, wherein said first layer and said second layer overlap, although Taschereau teaches geographical regions include at least first layer and a second layer, wherein said first layer and said second layer overlap as previously described, or teaches “advertising zone” data associated with said road segment data, wherein said advertising zone data indicate which of a plurality of advertising zones into which the geographic region is divided road segments are located in, although Taschereau teaches geographical regions into which the geographic region is divided road segments are located in, as previously described.

However, Polyakov teaches “advertising area” (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov’s advertising areas are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant’s advertising area).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Polyakov's teaching into Taschereau's reference by associating hierarchy of advertising areas with the hierarchy of geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Wherein Taschereau's advertising system with hierarchical structure for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claim 8, the combined Polyakov-Taschereau reference teaches defining an index that references each of the advertising zones in the first layer that overlap the second layer (Polyakov teaches "advertising zones", See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zone, and Taschereau teaches index that references each of the geographical zones in the first layer that overlap the second layer, See Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by geocnt, and they are indexed by ISO code values is equivalent to Applicant's index that references geographical regions that encompass other geographical regions).

As per claim 9, Polyakov further teaches "advertising zones are based on accessibility" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, zones vehicles passing by, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zones are based on accessibility).

As per claim 10, Polyakov further teaches "advertising zones are based driving distances from defined locations" (See col. 2, lines 29-67, and col. 3, lines 18-23 wherein Polyakov's advertising information is transmitted to the zones based on information type, language, zones vehicles passing by, location of the vehicles, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zones are based driving distances from defined locations).

As per claim 11, Polyakov further teaches "advertising zones are based driving times from defined locations" (See col. 2, lines 29-67, and col. 3, lines 18-47 wherein Polyakov's advertising information is transmitted to the zones based on information type, language, zones vehicles passing by, location of the vehicles, time to display, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zones are based driving times from defined locations).

As per claim 12, Polyakov further teaches “advertising zones are formed dynamically” (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov’s advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information suggests the flexibility of the advertising zones is equivalent to Applicant’s advertising zones are formed dynamically).

As per claim 13, Taschereau teaches “road segment data that represents road segments located in a geographic region” (See Pages 2-4, [0036]-[0054] Wherein Taschereau’s geortseg, road segment, and block of street are the road segment and, group of road segments, geocnt and geodis are the various geographic regions is equivalent to Applicant’s road segment data that represents road segments located in a geographic region) and “geographic region is divided road segments represented said road segment data are located in” (See Pages 2-3, [0036]-[0051] Wherein Taschereau’s geortseg, road segment, and block of street are the road segment and, group of road segments, geocnt and geodis are the various geographic regions is equivalent to Applicant’s geographic region is divided road segments represented said road segment data are located in).

Taschereau does not specifically teach “advertising zone” data associated with said road segment data, wherein said advertising zone data indicate which of a plurality of

advertising zones into which the geographic region is divided road segments are located in.

However, Polyakov teaches "advertising zone" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zone).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Polyakov's teaching into Taschereau's reference by associating advertising zones with geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Wherein Taschereau's advertising system with mobility such that the effectiveness of advertisement would have been enhanced.

As per claim 14, Taschereau teaches index that references geographical regions that encompass other geographical regions (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by geocnt, and they are indexed by ISO code values is equivalent to Applicant's index that references geographical regions that encompass other geographical regions).

Taschereau does not specifically teach advertising zone with "an index that references advertising zones that encompass other advertising zones".

However, Polyakov teaches "advertising zone" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on

information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zone).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Polyakov's teaching into Taschereau's reference by associating hierarchy of advertising zones with the hierarchy of geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Wherein Taschereau's advertising system with hierarchical structure for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claim 15, Taschereau teaches "geographic database is installed in a standalone navigation system" (See Page 2, [0038]-[0039] and Page 12, [0217]-[0225] Wherein Taschereau's system is a database management system without refereeing to network in any potion of the reference and a process manifesting navigational aids to locate and obtain routing points is equivalent to Applicant's geographic database is installed in a standalone navigation system).

As per claim 16, Taschereau teaches "geographic database is installed on a navigation services server from which end users' computing platforms obtain geographically-related services" (See Page 12, [0217]-[0225] Wherein Taschereau's system is a database management system and a process manifesting navigational aids

to locate and obtain routing points is equivalent to Applicant's geographic database is installed on a navigation services server from which end users' computing platforms obtain geographically-related services).

As per claim 17, Taschereau teaches an indication of which of a plurality of layers of geographical regions, a particular geographical region is located (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geographical regions that encompass other geographical regions is equivalent to Applicant's an indication of which of a plurality of layers of geographical regions, a particular geographical region is located).

Taschereau does not specifically teach "advertising zone data includes an indication of which of a plurality of layers of advertising zones, a particular advertising zone is located in".

However, Polyakov teaches "advertising zone" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zone).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Polyakov's teaching into Taschereau's reference by associating hierarchy of advertising zones with the hierarchy of geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Wherein Taschereau's advertising system with hierarchical structure for further organizing advertising

information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

9. Claims 1-6 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polyakov (U.S. Patent 6,414,402) and further in view of Taschereau (U.S. Publication 2004/0076279).

As per claim 1, Polyakov teaches he following:

“defining advertising zones within the geographic region” (See col. 2, lines 39-51 wherein Polyakov’s advertising information in Spanish is advertised in a geographical zone with Spanish population is equivalent to Applicant’s defining advertising zones within the geographic region).

“in a geographical database that contains data that represent roads in the geographic region, associating with each data entity that represents a road segment located in a geographic region” (See Pages 2-3, [0036]-[0051] Wherein Taschereau’s geortseg, road segment, and block of street are the road segment and, group of road segments, geocnt and geodis are the various geographic regions is equivalent to Applicant’s road segment data that represents road segments located in a geographic region) and the geographic region “associating with each data entity that represents a road segment located in the geographic region data that indicate in which” “the road segments represented by the data entity is located” (See Pages 2-4, [0036]-[0054] Wherein Taschereau’s geortseg, road segment, and block of street are the road segment and,

group of road segments, geocnt and geodis are the various geographic regions, and further, a standard database technologies are utilized to manage geortseg, geocnt and geodis where the geographic region's entities are located and stored in the database is equivalent to Applicant's associating with each data entity that represents a road segment located in the geographic region data that indicate in which the road segments represented by the data entity is located).

Taschereau does not specifically teaches "advertising areas" include at least first layer and a second layer, wherein said first layer and said second layer overlap, although Taschereau teaches geographical regions include at least first layer and a second layer, wherein said first layer and said second layer overlap as previously described, or teaches "advertising zone" data associated with said road segment data, wherein said advertising zone data indicate which of a plurality of advertising zones into which the geographic region is divided road segments are located in, although Taschereau teaches geographical regions into which the geographic region is divided road segments are located in, as previously described.

However, Polyakov teaches "advertising area" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising areas are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising area).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Polyakov's teaching into Taschereau's reference by associating hierarchy of advertising areas with the hierarchy of

geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Wherein Taschereau's advertising system with hierarchical structure for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claim 2, Polyakov teaches "advertising zone" (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information is equivalent to Applicant's advertising zone).

Polyakov does not specifically teach "defining a hierarchy of said advertising zones, wherein said hierarchy of advertising zones includes at least a first layer and a second layer by defining location layers with greater detail at the lower layers and less detail at the higher layers".

However, Taschereau teaches an indication of which of a plurality of layers of geographical regions, a particular geographical region is located (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geographical regions that encompass other geographical regions is equivalent to Applicant's an indication of which of a plurality of layers of geographical regions, a particular geographical region is located).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by associating hierarchy of advertising zones with the hierarchy of

geographical regions because both references are devoted to geographical information and advertising. The combined reference would have equipped Polyakov's advertising system with hierarchical structure for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claim 3, Taschereau further teaches "defining an index that references each of the advertising zones in the first layer that overlap each of the advertising zones in the second layer" (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by geocnt, and they are indexed by ISO code values is equivalent to Applicant's index that references geographical regions that encompass other geographical regions).

As per claim 4, Polyakov teaches "associating advertising messages with at least some of said advertising zones" (See col. 3, lines 15-47 wherein Polyakov's advertising information is delivered to the mobile corresponding to the location is equivalent to Applicant's associating advertising messages with at least some of said advertising zones).

As per claims 5, Polyakov teaches "advertising information" (See col. 1, lines 51-67 wherein Polyakov's advertising information corresponding to advertising zone is equivalent to Applicant's advertising information).

Polyakov does not specifically teach “storing advertisement message in an advertising database”.

However, Taschereau teaches storing information in database (See Page 1, [0008]-[0009] Wherein Taschereau's information with local reference available from database is equivalent to Applicant's storing information in database).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by storing advertisement message in an advertising database because both references are devoted to geographical information and advertising. The combined reference would have equipped Polyakov's advertising system with advertising database for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claim 6, Polyakov teaches “advertising zones are formed dynamically” (See col. 2, lines 29-35 and 39-46, and col. 3, lines 18-23 wherein Polyakov's advertising zones are created based on information type, language, etc, and advertising information is transmitted to the zone corresponding to the control information suggests the flexibility of the advertising zones is equivalent to Applicant's advertising zones are formed dynamically).

As per claim 18, Polyakov teaches the following:

“determining a position of a mobile computing platform as the mobile computing

platform travels in a geographic region” (See col. 1, lines 21-29, col. 2, lines 29-51, col. 4, line 60 – col. 5, line 3 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant’s determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region); “determining in which of a plurality of advertising zones into which the geographic region is divided the user is located” (See col. 1, lines 21-29, col. 2, lines 29-51 and col. 4, line 60 – col. 5, line 3 wherein Polyakov’s advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant’s determining in which of a plurality of zones into which the geographic region is divided the user is located); and “providing the user with a advertising message associated with said advertising zone” (See col. 5, lines 24-36 wherein Polyakov’s information is displayed to prevent accident is equivalent to Applicant’s providing the user with a advertising message associated with said advertising zone).

Polyakov teaches providing the user with a advertising message associated with said advertising zone as previously described, however, Polyakov does not specifically teach the advertising message is “provided via a user interface of the mobile computing platform that provides navigation-related services”.

Taschereau teaches advertising message be “provided via a user interface of the mobile computing platform that provides navigation-related services” (See Pages 2, 4, 10 and 13, [0037], [0054], [0172] and [0249] wherein Taschereau’s PDA platform for

location specific advertising based on database of street segments with geographically associated with navigational route-planning is equivalent to Applicant's advertising message is provided via a user interface of the mobile computing platform that provides navigation-related services).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by integrating wireless transmission and navigation services technologies because both references are devoted to geographic locating and information advertising. The combined reference would have equipped Polyakov's advertising system with navigation capability such that the effectiveness of advertisement would have been enhanced.

As per claim 19, Polyakov teaches providing "advertising messages over a wireless communications link to the mobile computing platform" (See col. 3, lines 1-13 and col. 3, line 57 – col. 4, line 67 wherein Polyakov's advertising information is transmitted to a vehicle by wire-based or wireless method is equivalent to Applicant's advertising messages over a wireless communications link to the mobile computing platform from).

Polyakov does not specifically teach the advertising messages are from "a navigation services server".

However, Taschereau teaches "a navigation services server" (Page 2, [0038]-[0039] and Page 12, [0217]-[0225] Wherein Taschereau's system is a database management system without refereeing to network in any portion of the reference and a process

manifesting navigational aids to locate and obtain routing points is equivalent to Applicant's geographic database is installed in a standalone navigation system serving as a navigation services server).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by integrating wireless transmission and navigation services technologies because both references are devoted to geographic locating and information advertising. The combined reference would have equipped Polyakov's advertising system with navigation capability such that the effectiveness of advertisement would have been enhanced.

As per claim 20, Polyakov teaches he following:

"defining advertising areas within the geographic region" (See col. 2, lines 39-51 wherein Polyakov's advertising information in Spanish is advertised in a geographical zone with Spanish population is equivalent to Applicant's defining advertising areas within the geographic region);

"associating advertising messages with said advertising areas" (See col. 2, lines 39-51 wherein Polyakov's advertising information in Spanish is advertised in a geographical zone with Spanish population is equivalent to Applicant's associating advertising messages with said advertising areas); and

"with respect to each of said mobile computing platforms, determining a current position of the mobile computing platform as said mobile computing platform is moved through

the geographical region” (See col. 1, lines 21-29, col. 2, lines 29-51, col. 4, line 60 – col. 5, line 3 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant’s determining a current position of the mobile computing platform as said mobile computing platform is moved through the geographical region).

Polyakov does not specifically teach “using a geographic database to determine on which road segment said mobile computing platform is located based on said current position and to identify in which of said advertising areas the mobile computing platform is located by identifying said advertising area associated with said road segment on which said mobile computing platform is located”, although Polyakov teaches “determining in which of said advertising areas the mobile is located” (See col. 3, line 57 – col. 4, line 67” and col. 1, lines 21-29, col. 2, lines 29-51 and col. 4, line 60 – col. 5, line 3 wherein Polyakov’s advertising be advertised in geographical zone and vehicle travels from one zone to the next is determined is equivalent to Applicant’s determining in which of said advertising areas the mobile computing platform is located).

However, Taschereau teaches using a geographic database to determine on which road segment said mobile computing platform is located based on said current position and to identify” (See Pages 2, 4, 10 and 13, [0037], [0054], [0172] and [0249] wherein Taschereau’s PDA platform for location specific advertising based on database of street segments with geographically associated with navigational route-planning is equivalent to Applicant’s using a geographic database to determine on which road segment said mobile computing platform is located based on said current position and to identify), and

Taschereau further teaches advertising message be "provided via a user interface of the mobile computing platform that provides navigation-related services" (See Pages 2, 4, 10 and 13, [0037], [0054], [0172] and [0249] wherein Taschereau's PDA platform for location specific advertising based on database of street segments with geographically associated with navigational route-planning is equivalent to Applicant's advertising message is provided via a user interface of the mobile computing platform that provides navigation-related services).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by integrating visual and audible advertising information because both references are devoted to deliver advertising information to receivers via various formats. The combined reference would have allowed Polyakov's advertising system to deliver both visual and audible information simultaneously such that the effectiveness of advertisement would have been enhanced.

Taschereau teaches advertising message be "provided via a user interface of the mobile computing platform that provides navigation-related services" (See Pages 2, 4, 10 and 13, [0037], [0054], [0172] and [0249] wherein Taschereau's PDA platform for location specific advertising based on database of street segments with geographically associated with navigational route-planning is equivalent to Applicant's advertising message is provided via a user interface of the mobile computing platform that provides navigation-related services).

Polyakov further teaches “delivering to the mobile computing platform an advertising message associated with the advertising area in which the mobile computing platform is located” (See col. 3, lines 15-47 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s advertising information is delivered to the mobile corresponding to the location is equivalent to Applicant’s delivering to the mobile computing platform an advertising message associated with the advertising area in which the mobile computing platform is located).

As per claim 21, Polyakov teaches “after the step of determining in which of said advertising areas the mobile computing platform is located, determining the advertising message associated with the advertising area” (See col. 3, lines 15-47 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s advertising information is delivered to the mobile corresponding to the location is equivalent to Applicant’s after the step of determining in which of said advertising areas the mobile computing platform is located, determining the advertising message associated with the advertising area).

As per claim 22, Polyakov teaches “after the step of delivering, providing the advertising message via a user interface of the mobile computing platform” (See col. 5, lines 24-36 and col. 3, line 57 – col. 4, line 67 wherein Polyakov’s information is displayed to prevent accident is equivalent to Applicant’s after the step of delivering, providing the advertising message via a user interface of the mobile computing platform).

As per claim 23, Taschereau further teaches “after the step of delivering, providing the advertising message via audibly via the mobile computing platform” (Pages 2, 4, 10 and 13, [0037], [0054], [0172], [0175] and [0249] wherein Taschereau's radio advertising model working with PDA platform for location specific advertising based on database of street segments with geographically associated with navigational route-planning is equivalent to Applicant's after the step of delivering, providing the advertising message via audibly via the mobile computing platform).

As per claim 24, Polyakov teaches delivering, providing the advertising message visually via the mobile computing platform (See col. 3, lines 14-36 and col. 3, line 57 – col. 4, line 67 wherein Polyakov's advertising information is displayed is equivalent to Applicant's delivering, providing the advertising message visually via the mobile computing platform).

Response to Arguments

10. Applicant's arguments with respect to claims 1-28 have been considered but are not persuasive, please see discussion below:

a). At Pages 8-9, concerning claim 1, the Applicant argued that the combination of Polyakov and Taschereau is not obvious, and further argued that the advertising zones of Polyakov do not follow the geographic regions of Taschereau.

As to the above argument a), the Examiner respectfully disagreed. In response to applicant's argument that there is no suggestion to combine the references, the

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examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Polyakov teaches a system of advertising having a source of advertising information adapted to transmit to mobile platform of receivers via location determination and advertising transmission via GPS, and on the other hand, Taschereau teaches providing specific information or advertising to users based on the determined location of the users. It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching into Polyakov's reference by integrating technologies provided by Polyakov and Taschereau because both references are devoted to geographic locating and information advertising. The combined reference would have equipped Polyakov's advertising system with navigation capability such that the effectiveness of advertisement would have been enhanced. As to Applicant's argument about Polyakov's advertising changes language from neighborhood to neighborhood which does not follow government established districts. The Examiner respected the Applicant's conclusion, however, respectfully disagreed, and would believe the mechanism driving the change must be based on some statistics established on government established districts. Taschereau provides further evidence in the combined

Polyalov-Taschereau which teaches roads, streets and their segments which are all government established districts.

b). At Page 10, concerning claims 7 and 13, the Applicant continued to argue that the combination of Polyakov and Taschereau is not obvious.

As to the above argument b), the Examiner respectfully disagreed and respectfully applied the same response as previously described to argument a).

c). At Pages 11-14, concerning claims 18, 20, 25 and 28, the Applicant argued that the combination of Polyakov and Taschereau is not obvious and the reference(s) does not teach providing advertising to users of mobile platforms.

As to the above argument c), the Examiner respectfully disagreed and respectfully applied the same response as previously described to argument a). Further, the Examiner specifically cited some additional sections from the already cited references are introduced to provide the teaching of providing advertising to users of mobile platforms as detailed in the Action as previously described.

11. Regarding claims 2-6, 8-12, 14-17, 19, 21-24 and 26-27, the claims are dependent on claims 1, 7, 13, 18, 20 and 25, respectively. The Examiner applied the stated arguments as previously described in the Action.

12. In light of the foregoing arguments, the 35 U.S.C. § 102 rejection of Claims 25-28, and 35 U.S.C. § 103 rejection of Claims 1-24 is hereby sustained.

13. The prior art made of record

- A. U.S. Patent No. 6,414,602
- B. U.S. Publication 2004/0076279

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- C. U.S. Publication 2003/0026268
- D. U.S. Publication 2004/0083133
- E. U.S. Publication 2004/0110515
- F. U.S. Publication 2003/0023489
- G. U.S. Publication 2002/0147644
- H. U.S. Publication 2001/0018340
- I. U.S. Patent No. 5,664,948

Conclusions

14. THIS ACTION IS MADE FINAL.

The Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

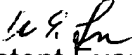
If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is 571-272-3574 for faster service.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 571-272-4114.

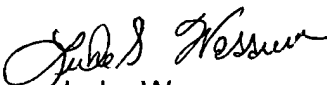
The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Kuen S. Lu

Patent Examiner

April 28, 2005


Luke Wassum

Primary Examiner

April 28, 2005